

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KATO *et al.*

Appl. No.: 10/555,343

§ 371 Date: November 1, 2005

For: **Freeze-Dried Preparation Containing
Methylcobalamin and Process For
Producing Same**

Confirmation No: 4524

Art Unit: 1614

Examiner: Craig D. Ricci

Atty. Docket: 1089.0590000/MAC

**Fourth Supplemental Information Disclosure Statement
under 37 C.F.R. § 1.97(c)**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms PTO/SB/08A equivalent and PTO/SB/08B equivalent, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering of this Fourth Supplemental Information Disclosure Statement is a continuation of Applicants' Third Supplemental Information Disclosure Statement filed May 19, 2009, and Applicants' Second Applicants' Third Supplemental Information Disclosure Statement filed December 27, 2007.

Copies of documents **FP12** and **NPL21-NPL23** are submitted. A copy of **US2** is not included.

Documents FP12 and NPL21-NPL23 were cited in an office action from the Japanese Patent Office in the corresponding Japanese patent application.

Document **FP12** is not in English. Document **US2** is believed to be in the same patent family as document FP12 and is provided as Applicants' English language statement of relevance MPEP 609.04(a)(III). Both Documents US2 and FP12 are national phases of the same PCT application, and are translations of the same PCT

application. Accordingly, document US2 is believed to also be an English translation of document FP12.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed after receiving an Office action but before a final Office action. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered. The U.S. Patent and Trademark Office is

hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date: November 20, 2009

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